

THE HONORABLE BARBARA J. ROTHSTEIN

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT TACOMA

TEENA GARCIA-RIMESTAD,

Plaintiff,

vs.

SAFEWAY, INC., an American
Corporation, and "DOES" 1 through X

Defendants.

No. 3:20-cv-6172-BJR

STIPULATION AND PROPOSED
ORDER FOR ADDITIONAL TIME
FOR DISCOVERY AND TRIAL
CONTINUANCE

I. STIPULATED MOTION

The parties, through their undersigned attorneys, stipulate and agree to an extension of discovery deadlines and continuance of the trial.

This is a personal injury lawsuit. The parties have not previously requested a continuance in this matter. There is good cause for continuance because the parties have experienced a six month delay due to difficulties in obtaining health care records from Multicare, plaintiff's primary health organization, which was beyond the parties' control.

STIPULATION FOR ADDITIONAL
TIME FOR DISCOVERY AND TRIAL
CONTINUANCE - 1

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Plaintiff assisted in obtaining these records but Multicare did not produce them until June 2021, at which time it produced approximately 5,000 pages of records. After review of these records, the parties completed the deposition of the plaintiff on August 16, 2021.

Defendant has determined that it needs to have a Rule 35 physical examination of plaintiff in order to develop expert opinion testimony addressing the injury issues in this case. The current deadline for disclosure of expert reports is August 30, 2021, but additional time is needed to accomplish a physical examination and obtain a report. Plaintiff also needs additional time to develop expert opinion testimony and obtain a report.

The parties plan to mediate after expert disclosures are made and before expert depositions. We need time after the mediation to accomplish expert depositions in the event mediation is unsuccessful.

The parties jointly request a continuance and modification of the case schedule and trial date as follows:

<u>Description</u>	<u>Current Deadline</u>	<u>Requested New Deadline</u>
expert witness reports	8/27/21	12/31/21
discovery completion	9/29/21	3/25/21
file dispositive motions	10/29/21	4/8/21
file motions in limine	2/22/22	7/7/22
joint pretrial statement	2/28/22	7/18/22
pretrial conference	3/14/22	8/1/22
Trial	3/28/22	8/15/22

Dated: August 24, 2021.

STIPULATION FOR ADDITIONAL
TIME FOR DISCOVERY AND TRIAL
CONTINUANCE - 2

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LAW OFFICES OF GREENE
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By: s/ Timothy M. Greene
Timothy M. Greene, WSB #17499
for Robert D. Lloyd, WSBA #28960
Attorney for Plaintiff

By: s/ John T. Kugler
John T. Kugler, WSBA #19960
Attorney for Defendant Safeway Inc.

III. ORDER

This matter came before the court on the foregoing stipulated motion of the parties for continuance. It is hereby ORDERED that trial is continued and the case schedule is modified as follows:

<u>Description</u>	<u>New Deadline</u>
<u>expert witness reports</u>	<u>12/31/21</u>
<u>discovery completion</u>	<u>3/25/22</u>
<u>file dispositive motions</u>	<u>4/8/22</u>
<u>file motions in limine</u>	<u>7/7/22</u>
<u>joint pretrial statement</u>	<u>7/18/22</u>
<u>pretrial conference</u>	<u>8/1/22 at 10:30 am</u>
<u>Trial</u>	<u>8/15/22</u>

Dated: August 27, 2021.

s/Barbara J. Rothstein

Barbara J. Rothstein
U.S. District Judge

STIPULATION FOR ADDITIONAL
TIME FOR DISCOVERY AND TRIAL
CONTINUANCE - 3

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